IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pilux & Danpex, S.A.	*Attorney Docket No.:* 2625
Serial No.: 10/537,183	*T.C./Art Unit:* 2875
Filed: 10/5/2004	*Examiner:* Jessica L. McMillan
For: Fluorescent Lamp Reflectors	*Date of this document:* September 16, 2009
Customer Number: 07617	

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Commissioner for Patents
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Alexandra, VA 22313-1450

APPLICANT'S SUPPLEMENTAL DECLARATION

I, Antonios Paravantsos, declare as follows:

1. I am the Chief Executive Officer (CEO) of Pilux & Danpex, S.A., a Greek company with its offices at 20, G. Katehaki Str. 546 27 Thessaloniki, Greece, the Applicant of the above-identified invention. I have worked at Pilux & Danpex for over 40 years and have served as CEO of the company for 33 years. I am fully aware of the facts set forth herein.

2. Applicant submits the present declaration to show that it was ready, willing and able to timely respond to the outstanding office action dated November 16, 2008, *but for* the intervening Underwriters Laboratory (UL) decision to refuse safety certification of the subject, inventive reflector.

3. Applicant's petition to revive the subject application was not a result of changes in market demand for the subject, inventive reflector. Rather, Applicant has been well-aware during all relevant time periods involved, that is, from before the November 16, 2008 dated office action to which a response was not timely filed, continuing through the filing of the March 26, 2009 petition to revive the subject application and through the present time, that the market demand for the subject reflector has remained strong due to a global need for energy-efficient products.

4. Applicant has remained confident that there would be market demand for the subject reflector as it allows for very significant energy savings. This is due to its

lightweight, flexible and synthetic construction and its ability to retrofit onto, and be supported solely by, standard fluorescent tubes that are widely used in many types of businesses throughout the world. The reflectors direct the light precisely where needed and as a result, typically, some fluorescent bulbs become unnecessary and can be taken out of service. The subject reflectors, therefore, typically can result in energy savings in greater than 21%. However, the market demand for the subject reflector in the U.S. has not been realized due to the Underwriters Laboratory decision to refuse safety certification of the product.

5. Applicant's petition to revive the subject application did not result from a consideration by Applicant that the claims in the subject application were unpatentable over the references relied upon in the non-final rejection office action dated November 16, 2006. On the contrary, Applicant's patent counsel reviewed the references cited in the office action and advised Applicant of several possible amendments to distinguish over the prior art references, in an email dated December 20, 2006. See attached Exh. A, which shows the correspondence reporting office action from patent counsel to Applicant including the attachment to that correspondence which shows proposed claim amendments. As a result, at all relevant times as set forth above, Applicant believed the claims in the subject application to be patentable over the cited references.

6. Applicant's petition to revive the subject application did not result from a consideration by Applicant that the probable claims were not of sufficient breadth or scope to justify the financial expense of obtaining a patent. In contrast, Applicant did believe, before the 6-month deadline for responding to the November 16, 2006 Office Action, that the probable claims that would be allowed were of sufficient breadth or scope to justify the financial expense of obtaining a patent.

7. Applicant's petition to revive the subject application did not result from a consideration by Applicant that any patent would not be of sufficient value to justify the financial expense of obtaining the patent. In view of Applicant's belief in patentability of the claims (see ¶5 above) and the sufficient breadth or scope of probable claims that would be allowed (see ¶6 above), Applicant believed, before

the 6-month deadline for responding to the the November 16, 2006 Office Action, that any patent would be of sufficient value to justify the financial expense of obtaining a patent.

8. Applicant's petition to revive the subject application did not result from a consideration by Applicant that any patent would not be of sufficient value to maintain an interest in obtaining the patent. In fact, Applicant here did consider the probable claims that would be allowed to be of sufficient value to maintain an interest in obtaining a patent. (See ¶6 above.) However, the intervening Underwriters Laboratory (UL) decision to refuse safety certification of the subject, inventive reflector frustrated that interest.

9. In not responding to the November 16, 2009 Office Action, Applicant's was not merely remaining interested eventually obtaining a patent, but simply seeking to defer patent fees and patent prosecution expenses. As mentioned above in ¶2, Applicant was ready, willing and able to timely respond to the outstanding office action dated November 16, 2006, *but for* the intervening Underwriters Laboratory (UL) decision to refuse safety certification of the subject, inventive reflector.

10. I, hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declare that the facts set forth in this application are true, that all statements made of my own knowledge are true, and that all statements made on information and belief are believe to be true.

Dated: September 16, 2009

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Enclosures: Exhibit A (correspondence reporting on office action)

Exh. A

Tomoko Sugawara

From: Charles (Chaz) Bruzga [c_bruzga@cbruzgalaw.com]
Sent: Wednesday, December 20, 2006 6:22 PM
To: lawdpt@pilux-danpex.gr
Cc: pilux-1@otenet.gr
Subject: Pilux re 2626 - PCT/GR2004/000048;
Attachments: Office Action - 16-Nov-06.pdf; Amendment claims.doc; pat3580126.pdf; pat7018014.pdf

Re: US Patent Appl'n SN 10/537,183 filed 5-Oct-04 [Sec. 371 date: 2-Jun-05] for Fluorescent Lamp Reflectors by Stavros Piperidis (PCT/GR2004/000048).

Dear Dora:

I enclose an office action rejecting Claims 1-3 of the subject application, together with US Patents 7,018,014 to Raby et al. ("Raby) and 3,580,12 to Forkner and draft amended claims for distinguishing over these patents. May I please have your comments on distinguishing over Raby and Forkner, by **January 15, 2007?**

I briefly comment on three possible ways to distinguish over Raby and Forkner, as follows:

1. **Proposed limitations:** The enclosed draft amended claims incorporate the following, two claim limitations (a) and (b), and distinguish over the prior art. *This is even if the examiner's argument in the paragraph "bridging" pages 2-3 of the office action is assumed as valid.* But, It is unclear why the examiner did not give weight to the following limitation (c).

    a. **Plurality of acute noses for each half circle.** After much review of Raby and Forkner and the other prior art references cited by the PCT Office, it seems that the proposed limitation relating to the number of acute noses in each half circle would distinguish over the prior art. The PCT Office cited UK Patent Application GB 2311 124 A, US Patent 4,652,983, German Offenlegungsschrift DE 3519498 A1 and US Patent 4,122,511. These PCT Office cited these "other" patents in the PCT Search Report on which the current application is based.

    b. **Orientation of acute noses.** A further proposed limitation concerning orientation of the acute noses (i.e., pointing to an inner portion of the circle) should further distinguish over Raby and Forkner and the other prior art.

    c. **"[W]ith slightly smaller diameter * * *.** It is unclear why the examiner did not give weight to the language in Claim 1 of, "circle with slightly smaller diameter than the standard nominal diameter of the lamp (3)." In contast, prior art Raby Fig. 2 shows a lamp 12 that is smaller than central hole 28 in bracket clip 16. It might be useful to explore this language with the examiner.

2. **No motivation to combine Forkner and Raby.** While the claims limitations discussed above distinguish on their own over the prior art, I recommend that we show there is no motivation to make Raby's luminaire with Forkner's "elastically stretchable" film. It appears that the Examiner is confusing "flexible" and "elastically stretchable," both terms used by Forkner at Co1. 2, lines 20-28. But, Forkner distinguishes between the two terms, and common dictionaries also distinguish between the terms. A typical definition of "flexible" is, "Capable of being bent or flexed; pliable." Free online dictionary. In contrast, "stretchable" relates to elongation of a sheet of material. *If a reflector is made from stretchable material as in Faulkner, then please tell me if it might be possible for even a small force to dislodge a louvre (4) from the reflector (2).* If so, then the use of Forkners' stretchable synthetic films would frustrate or even destroy the claimed invention, and so would not be used by a person of ordinary skill in the art.

3. **Dependent claim to "substantially continuous" parabolic shape.** Since Raby fails to show a "substantially continuous" parabolic shape, it would seem that a dependent claim usefully recite such feature. Such a limitation could be placed in existing Claim 2, or could be placed in a new dependent claim. We seek your recommendation.

It is often useful to discuss proposed claim language with the examiner, and to show the examiner a product sample. We have done this successfully many times in the past.

Best regards,

Charles E. Bruzga

Exh. A

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Tracking:

Exh. A

Recipient	Read
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Attachment to Exh. A

1. (currently amended) Reflector (1) for light ~~concetrating~~ concentration and direction, made of a thin synthetic film with a reflective surface in parabolic shape, for mounting on a fluorescent lamp (3) through the louvres (4) traverse fixed to the reflector (2), characterized by the fact that the louvres (4) are made of a thin synthetic and flexible film and the openings of the louvres (4) through which the lamp (3) passes have a plurality of acute noses (8) pointing towards an inner part of the circle and positioned ~~at~~ along each half of the imaginary circumference of a circle with slightly smaller diameter than the standard nominal diameter of the lamp (3), said acute noses (8) can bend a little in order to be adjusted to the slightly bigger diameter of the lamp (3) and retain the reflector (2) by means of friction in different positions when the reflector (2) rotates in relation to the longitudinal axis of the lamp (3).

2. (original) Reflector (1) for light concentration and direction to be fitted on fluorescent lamps (3) as in claim 1, characterised by the fact that due to the distance between the anchor-shaped ends (5) of the louvre (4) the louvres (4) can maintain the parabolic shape (10) of the reflector (2) along its length when fitted on it.

3. (original) Reflector (1) for light concentration and direction to be fitted on fluorescent lamps (3) as in claim I, characterised by the fact that the louvres (4) have anchor-shaped ends (5) in the appropriate size so that when the louvres (4) are fitted on the respective slots (7)of the reflector (2) thanks to the flexibility of the thin synthetic film, the anchor-shaped ends (5) click on the body of the reflector (2) and cannot be released due to accidental movement and the stresses exercised on the louvres (4).

4. (new) Reflector (1) for light concentration and direction to be fitted on fluorescent lamps (3) as in claim I, characterised by the fact that the parabolic shape of the reflective surface defines a substantially continuous parabolic shape.